

Amendments to the Claims under Revised 37 C.F.R. § 1.121

Claim 1 (currently amended): An isolated nucleic acid molecule comprising a nucleotide sequence selected from the group consisting of:

- (a) ~~the nucleotide sequence as set forth in SEQ ID NO: 1;~~
- (b) comprising nucleotide residues 610 through 1242 of the nucleotide sequence set forth in SEQ ID NO: 1;
- (b)(c) ~~the nucleotide sequence of the DNA insert in ATCC Deposit No. PTA-1882;~~
- (e)(d) ~~a nucleotide sequence encoding the polypeptide as set forth in SEQ ID NO: 2;~~
- (d)(e) ~~a nucleotide sequence which that hybridizes under at least moderately or highly stringent conditions to the complement of any of (a) - (e) the nucleotide sequence of either (b) or (d); and or~~
- (e)(f) ~~a nucleotide sequence that is complementary to the nucleotide sequence of any of (a) - (e)(e).~~

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Claim 2 (currently amended): An isolated nucleic acid molecule comprising a nucleotide sequence selected from the group consisting of:

- (a) ~~a nucleotide sequence encoding a polypeptide which is at least about 70 percent identical to the polypeptide as set forth in SEQ ID NO: 2, wherein the encoded polypeptide has an activity of the polypeptide set forth in SEQ ID NO: 2;~~
- (b) ~~a nucleotide sequence encoding an allelic variant or splice variant of the nucleotide sequence as set forth in SEQ ID NO: 1, the nucleotide sequence of the DNA insert in ATCC Deposit No. PTA-1882, or (a);~~
- (e)(a) ~~a region of the nucleotide sequence of SEQ ID NO: 1, or the DNA insert in ATCC Deposit No. PTA-1882, (a), or (b) encoding a polypeptide fragment of SEQ ID NO: 2 of at least about 25 50 amino acid residues, wherein the polypeptide fragment has an activity of the encoded polypeptide as set forth in SEQ ID NO: 2, or is antigenic;~~
- (d) ~~a region of the nucleotide sequence of SEQ ID NO: 1, the DNA insert in ATCC Deposit No. PTA-1882, or any of (a) - (e) comprising a fragment of at least about 16 nucleotides;~~

(e)(b) a nucleotide sequence ~~which~~ that hybridizes under at least moderately or highly stringent conditions to the complement of ~~any~~ the nucleotide sequence of (a) ~~(d)~~; and or

(f)(c) a nucleotide sequence that is complementary to ~~any~~ the nucleotide sequence of (a) ~~(d)~~.

Claim 3 (currently amended): An isolated nucleic acid molecule comprising a nucleotide sequence ~~selected from the group consisting of:~~

(a) ~~a nucleotide sequence encoding a polypeptide as set forth in SEQ ID NO: 2 with at least one conservative amino acid substitution, wherein the encoded polypeptide has an activity of is~~ at least 85 percent identical to the polypeptide set forth in SEQ ID NO: 2;

(b) ~~a nucleotide sequence encoding a polypeptide as set forth in SEQ ID NO: 2 with at least one amino acid insertion, wherein the encoded polypeptide has an activity of the polypeptide set forth in SEQ ID NO: 2;~~

(c) ~~a nucleotide sequence encoding a polypeptide as set forth in SEQ ID NO: 2 with at least one amino acid deletion, wherein the encoded polypeptide has an activity of the polypeptide set forth in SEQ ID NO: 2;~~

(d)(b) ~~a nucleotide sequence encoding a polypeptide as set forth in SEQ ID NO: 2 which has~~ having a C- and/or N- terminal truncation, wherein the encoded polypeptide has an activity of the polypeptide set forth in SEQ ID NO: 2 comprises at least 50 amino acid residues;

(e)(c) ~~a nucleotide sequence encoding a polypeptide as set forth in SEQ ID NO: 2 with at least one modification selected from the group consisting of that is a conservative amino acid substitutions, amino acid insertions, amino acid deletions, C-terminal truncation, and or N-terminal truncation, wherein the encoded polypeptide has an activity of is at least 85 percent identical to the polypeptide set forth in SEQ ID NO: 2 and comprises at least 50 amino acid residues; or~~

(f) ~~a nucleotide sequence of any of (a) ~~(e)~~ comprising a fragment of at least about 16 nucleotides;~~

(g) ~~a nucleotide sequence which hybridizes under moderately or highly stringent conditions to the complement of any of (a) ~~(f)~~; and~~

(h)(d) ~~a nucleotide sequence that is~~ complementary to the nucleotide sequence of any of (a) ~~(e)(c)~~.

Claim 4 (original): A vector comprising the nucleic acid molecule of any of Claims 1, 2, or 3.

Claim 5 (original): A host cell comprising the vector of Claim 4.

Claim 6 (original): The host cell of Claim 5 that is a eukaryotic cell.

Claim 7 (original): The host cell of Claim 5 that is a prokaryotic cell.

Claim 8 (currently amended): A process of producing an FGF-L polypeptide encoded by the nucleic acid molecule of any of Claims 1, 2, or 3, comprising culturing the host cell of Claim 5 under suitable conditions to express the polypeptide, and optionally isolating the polypeptide from the culture.

Claim 9 (canceled).

Claim 10 (currently amended): The process of Claim 8, wherein the nucleic acid molecule comprises promoter DNA other than the promoter DNA for the native FGF-L polypeptide gene operatively linked to the DNA encoding the FGF-L polypeptide nucleic acid molecule.

Claim 11 (currently amended): The isolated nucleic acid molecule according to Claim 2, wherein the percent identity is determined using a computer program ~~selected from the group consisting of~~ that is GAP, BLASTN, FASTA, BLASTA, BLASTX, BestFit, ~~and or~~ the Smith-Waterman algorithm.

Claims 12-43 (canceled).

Claim 44 (original): A viral vector comprising a nucleic acid molecule of any of Claims 1, 2, or 3.

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Claims 45-54 (canceled).
